

Exhibit E

DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCE HEADQUARTERS - ARIZONA
5636 EAST McDOWELL ROAD
PHOENIX, ARIZONA 85008-3495

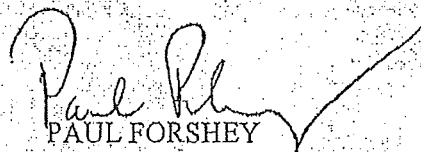
AZAA-SJA

03 March 2009

MEMORANDUM FOR ETS, LLC, ATTN: Legal Department

SUBJECT: GMAC Loan # [REDACTED] 7194

1. I am writing on behalf of Major Frederic Edquid, who was released from active duty, in support of Operation Enduring Freedom, in May 2008. After reviewing the documents in Fred's possession, I believe GMAC may have started foreclosure action in violation of Federal law. (see section 303 of the Service Members Civil Relief Act (SMCRA) and section 2203 of the Housing and Economic Recovery Act (HERA) of 2008, both attached)
2. As you are aware, Mr. Edquid as a service member recently discharged from active duty, is afforded certain protections by the Federal Government. One of those protections is that a foreclosure action started within 9 months of a service members release from active duty is invalid. (Section 303 C as modified by the HERA of 2008) In Mr. Edquid's case, action to foreclose can easily be traced to November 18, 2008, nearly 90 days prior to what the law allows. (Refer to ETS notice of trustee sale dated 11/18/2008) I believe a legal review of the file will bear this out and further research will indicate there are criminal and civil penalties for violating this law. (see section 303 d)
3. I would also like to bring to your attention that there could very well be serious due process issues involved with Mr. Edquid's case. By virtue of the fact that this action has not been pursued through a court of competent jurisdiction, you have withdrawn Mr. Edquid's right to seek a stay as provided for under section 303 b of the SMCRA.
4. I do not represent Mr. Edquid in this matter. I represent the Arizona National Guard, but became aware of this civil matter via an office visit from Mr. Edquid. I am not Mr. Edquid's attorney for the underlying matter and this letter should not be construed as an appearance or submission to jurisdiction.
5. Mr. Edquid stands ready to address this issue before it spirals even more out of control. Several of his payments have been rejected and his attempts to correspond with ETS have gone unanswered. Mr. Edquid can be reached at 802.233.1884 or via email at dervish_9@yahoo.com. Thank you in advance for helping to clear up this matter.



PAUL FORSHEY

Lieutenant Colonel, Arizona Army National Guard
Staff Judge Advocate

0000086

Servicemembers Civil Relief Act (SCRA)

Section 303 - Mortgages and trust deeds

(a) MORTGAGE AS SECURITY- This section applies only to an obligation on real or personal property owned by a servicemember that--

(1) originated before the period of the servicemember's military service and for which the servicemember is still obligated; and

(2) is secured by a mortgage, trust deed, or other security in the nature of a mortgage.

(b) STAY OF PROCEEDINGS AND ADJUSTMENT OF OBLIGATION- In an action filed during, or within 90 days after, a servicemember's period of military service to enforce an obligation described in subsection (a), the court may after a hearing and on its own motion and shall upon application by a servicemember when the servicemember's ability to comply with the obligation is materially affected by military service--

(1) stay the proceedings for a period of time as justice and equity require, or

(2) adjust the obligation to preserve the interests of all parties.

(c) SALE OR FORECLOSURE- A sale, foreclosure, or seizure of property for a breach of an obligation described in subsection (a) shall not be valid if made during, or within 90 days after, the period of the servicemember's military service except--

(1) upon a court order granted before such sale, foreclosure, or seizure with a return made and approved by the court; or

(2) if made pursuant to an agreement as provided in section 107.

(d) PENALTIES-

(1) MISDEMEANOR- A person who knowingly makes or causes to be made a sale, foreclosure, or seizure of property that is prohibited by subsection (c), or who knowingly attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.

(2) PRESERVATION OF OTHER REMEDIES- The remedies and rights provided under this section are in addition to and do not preclude any remedy for wrongful conversion otherwise available under law to the person claiming relief under this section, including consequential and punitive damages.

Guide Note: The 90 day period mentioned above in sections (b) and (c) have been temporarily extended to 9 months by section 2203 of the Housing and Economic Recovery Act of 2008. This temporary extension expires on December 31, 2010, when the original 90 day period will re-take effect.

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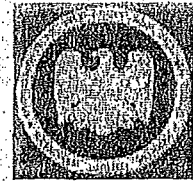
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0000089

Arizona Department of Emergency and Military Affairs
Arizona National Guard
Office of the Staff Judge Advocate



5636 East McDowell Road
Phoenix, Arizona 85008-3495
Phone: (602) 267-2588 DSN: 853-2588
FAX: (602) 629-4665



Fax

To: ETS Legal Department

From: LTC Paul Forshey

Fax: 818.260.1850

Date: 03 MAR 2009

Phone:

Pages: (to include cover) 3

Re: ACCT.# [REDACTED] 7194

CC:

☐ Urgent ☐ xxx For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

•Comments:

Please respond to Mr. Edquid at 802.233.1884

0000090

to Anderson Decl.

Exhibit E

גמחה / שבעה תתחיל ללמוד

PS Form 3811, February 2004

Domestic Return Receipt

102505-02-M-1540

0000091

E111.1

SCOTTSDALE MPD
SCOTTSDALE, Arizona
852519998

03/03/2009 (480)949-1448 12:53:46 PM

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Sales Receipt			
Product	Sale Unit	Final	
Description	Qty	Price	Price

=====

RURBANK CA 91504			\$0.42
Zone-4 First-Class			
Letter			

0.70 oz.			
Return Rcpt (Green			Void
Card)			
Certified			Void
Label #:	70073020000194193868		

Issue PVI:		\$5.32	
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Refund PVI		-\$5.32	
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RURBANK CA 91504			\$0.42
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Zone-4 First-Class			
Letter			
0.60 oz.			

Return Rcpt (Green			\$2.20
Card)			

Certified			\$2.70
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Label #:	70073020000194193868		
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Customer Postage			-\$0.42
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Subtotal:			\$4.90
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Issue PVI:		\$4.90	
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42c #10 ELK	1	\$0.51	\$0.51
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Pay			
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Total:		\$5.41	
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Paid by:			
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MEX		\$5.41	
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Account #:	XXXXXXXXXXXX2005		
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Approval #:	502203		
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Transaction #:	737		
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	239033806325024707168		
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Order stamps at USPS.com/shop or

call 1-800-Stamp24. Go to

USPS.com/clicknshop to print

shipping labels with postage. For

other information call

800-ASK-USPS.

Bill #:1000700875312

Clerk:08

All sales final on stamps and postage

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